5/22/2006 9:29 PM FROM: 7196580999 TO: 15712738300 PAGE: 003 OF 004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Michael Wayne Brown, et al.

Serial No.: 10/015,382

Confirmation Number: 2851

Filed: 12/12/2001

Title: CONTROLLING HOLD QUEUE

POSITION ADJUSTMENT

Atty Docket Number: AUS920010827US1

Before the Examiner:

Rasha Al Aubaidi

Group Art Unit: 2642

Amy J. Pattillo

: P.O. Box 161327

: Austin, Tx 78716

512-402-9820

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Amy Pattillo

(j);

Signature

5/22/06 Date

TRANSMITTAL OF NOTICE OF APPEAL UNDER 37 CFR 41.31

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Applicant hereby appeals from the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please charge the fee of \$500,00 for submission of this Notice of Appeal to IBM Corporation Deposit Account No. 09-0447.

The commissioner is hereby authorized to charge any additional fee which may be required or credit any overpayment to IBM Corporation Deposit Account No. 09-0447. A duplicate copy of this document is enclosed.

5/22/04

Respectfully submitted,

Amy J. Patfillo

Attorney for Applicants

Reg. No 46,983

512-402-9820 (phone)

512-306-0417 (fax)

10/015 382

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NOTICE OF APPEAL from the Examiner to the Board of Patent Appeals and Interferences

Mail Stop AF Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450 Via Facsimile

Dear Sir.

Under 37 CFR 41.31, Applicants hereby appeal to the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner. Specifically, the Examiner's Office Action, dated February 22, 2006, finally rejects claims 1-27, 40 and 41. Applicants appeal the rejection of claims 1-27, 40 and 41.

5/22/66

Respectfully submitted,

Amy J. Pattillo

Attorney for Applicants

Reg. No 46,983

512-402-9820 (phone)

512-306-0417 (fax)

05/24/2006 EFLORES 00000084 090447 10015382

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AMY J. PATTILLO, Patent Attorney P.O. Box 161327 - AUSTIN, TEXAS 78716

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